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VAN A. PENA, PHD., M.D.**

**THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA**

VAN A. PENA, PHD., M.D.,

S CASE NO. C 00-4009 CW

Plaintiff,
v.

**S
S STIPULATION REQUESTING THAT
S THE CASE MANAGEMENT
S CONFERENCE BE RESCHEDULED**

TIMOTHY MEEKER, PATRICIA REES, HAL PETERSON, JENNIFER WEAR, DENISE SHELDON, NORM KRAMER, AND JUDITH BJORNDAHL

Current CMC date: June 24, 2008

Defendants

S Proposed CMC date: September 23, 2008

S The Honorable Claudia Wilken

NOW COME THE PARTIES, by and through their counsel of record, and hereby request that the Case Management Conference, which is currently set for June 24, 2008, be rescheduled for June 24, 2008. In support thereof, the parties would show the Court the

following:

2 1. This case is currently on appeal before the United States Court of Appeals for the
3 Ninth Circuit. The matter has been fully briefed, but has not been set for oral argument. The
4 parties do not anticipate a decision from the Ninth Circuit prior to the current March 4, 2008 date
5 for the Case Management Conference.

6 Accordingly, the parties respectfully request that this Court reschedule the Case
7 Management Conference for September 23, 2008.

8 || Dated: June 4, 2008

Respectfully Submitted,

EDMUND G. BROWN, JR
Attorney General of the State of California
MIGUEL NIRI
FIEL D. TIGNO

15 || Dated: June 4, 2008

LAW OFFICES OF LAWRENCE J. KING

By:

/s/ Lawrence J. King
LAWRENCE J. KING
Attorney for Plaintiff
VAN A. PENA, PHD., M.D.

~~[PROPOSED]~~ ORDER

Having reviewed the parties stipulation and finding good cause therefor, the Court hereby
GRANTS the parties request and reschedules this case for a Case Management Conference to be
held on September 23, 2008 at 2:00 p.m.

IT IS SO ORDERED.

26 6/10
Dated: _____, 2008

Claudia Wilken
The Honorable Claudia Wilken
United States District Judge